

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Crim. Action No.: 1:21-CR-21
1:21-MC-34
(Judge KleeH)

HARLIE CHRISTIAN SHAW,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION [ECF NO. 55] AND
SCHEDULING SENTENCING HEARING

On March 23, 2023, Defendant Harlie Christian Shaw ("Defendant") successfully completed the requirements of the Drug Court Program. On March 24, 2023, United States Magistrate Judge Michael J. Aloï issued his *Report and Recommendation* ("R&R") [ECF No. 55], recommending that the case be remanded to the District Court for sentencing.

The magistrate judge also directed the parties to file any written objections to the R&R within fourteen (14) days after service of the R&R. He further advised that failure to file objections would result in a waiver of the right to appeal from a judgment of this Court based on the R&R. Neither the Defendant nor the Government filed objections to the R&R.

Accordingly, this Court **ADOPTS** the magistrate judge's R&R [ECF No. 55] and **SCHEDULES** Defendant for a sentencing hearing on

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May 31, 2023, at **10:00 a.m.** at the **Clarksburg, West Virginia**, point of holding court.

The Court **ORDERS** that prior to sentencing, counsel for Defendant review with her the revised Standard Probation and Supervised Release Conditions adopted by this Court on November 29, 2016, pursuant to the standing order entered by Chief Judge Groh, In Re: Revised Standard Probation and Supervised Release Conditions, 3:16-MC-56.

The Office of Probation shall submit any updated presentence investigation report and addendum to the Court on or before **May 17, 2023**; and

Counsel may file any written sentencing memoranda or statements on or before **May 17, 2023**.

If counsel anticipates having multiple witnesses or an otherwise lengthy sentencing hearing, please notify the Judge's chamber staff so that an adequate amount of time can be scheduled.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record, the Office of Probation, and the United States Marshals Service.

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DATED: April 13, 2023

Handwritten signature of Thomas S. Klee in black ink.

THOMAS S. KLEE, CHIEF JUDGE
NORTHERN DISTRICT OF WEST VIRGINIA